

IN THE UNITED STATES PATENT AND TRADEMARK OFFICE

Application No.: 10/509,268	Applicant: Berg <i>et al.</i>
Filing Date: September 27, 2004	Attorney Docket No.: 100632-1P US
Examiner: Susannah Lee Chung	Group Art Unit : 1626
Customer No.: 22466	Confirmation No.: 5329
Title: NEW COMPOUNDS	

Commissioner for Patents
P.O. Box 1450
Alexandria, VA 22313-1450

RESPONSE TO RESTRICTION REQUIREMENT

Sir:

The present Response is filed in regard to the Restriction Requirement dated April 20, 2007, in connection with the above-identified application.

Applicants responded on March 1, 2007, to the initial Restriction Requirement dated February 1, 2007. The Examiner contends the Applicants have not fully responded to that Restriction Requirement, but regards the above-mentioned response as a *bona fide* attempt to reply. Accordingly, Applicant is given a time period of one (1) month or thirty (30) days to respond to the outstanding action.

To the extent that a Group is required to exemplify Applicant's response, Applicants elect claim 50. Applicants respectfully submit that this election is sufficient for searching purposes. However, should the Examiner require additional moieties to be elected, Applicants further elect the following additional moieties: compounds of Formula Ia, wherein P is a 6-membered ring containing one nitrogen, R1 is hydrogen, R2 is C₀₋₆alkylcyano, R3 is C₀₋₆alkylR4R5, and R4 and R5 may together form a 6-membered heterocyclic group containing one nitrogen and one oxygen.

Applicants preserve the right to continue to traverse the Restriction Requirement. Applicants submit that the election of Formula Ia, wherein P is a 6-membered ring containing one nitrogen, R1 is hydrogen, R2 is C₀₋₆alkylcyano, R3 is C₀₋₆alkylR4R5, and R4 and R5 may

together form a 6-membered heterocyclic group containing one nitrogen and one oxygen.
is a minimum of scope to be searched.

Applicants submit that the present response is complete and complies with the
requirements of 35 U.S.C. §121.

Respectfully submitted,

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